

TEMPORARY EVENT NOTICE – LICENSING ACT 2003

Premises – Hedge Row Stables, Central Avenue, Hullbridge, SS5 6AU

1 SUMMARY

- 1.1 This report introduces an application for the grant of a Temporary Event Notice (TEN) made under Section 100 of the Licensing Act 2003.
- 1.2 During the consultation period, objections were received from the Police and Environmental Health regarding the planned events.

2 APPLICATION

- 2.1 On 3 June 2019 the Licensing Department wrote to the venue informing the land owner that the department was made aware of unlicensed after prom parties planned at Hedge Row Stables for Swayne Park and Fitzwimarc Schools on 26 & 27 June 2019 and enclosed forms for a Temporary Event Notice and an Event Management Plan template. Appendix A is a copy of the letter and the after prom invitation sent to pupils of Swayne Park School.
- 2.2 On 10 June 2019 a Temporary Event Notice was received from Nicola Smith. Appendix B is a copy of the Notice.
- 2.3 The licensable activities are for the provision or regulated entertainment (recorded music) and late night refreshment. The maximum number of people attending each event is expected to be 100 but as the events are pay on the door the maximum numbers are unknown. The times requested for each event are 2300 – 0300 hours.
- 2.4 This venue is a stables and fields in an unmade, single track road off Lower Road, Hullbridge. Appendix C is a map of the premises.

3 REPRESENTATIONS

- 3.1 The Police served an Objection (Appendix D) for the proposed events under the TEN on the grounds that the event will undermine the following licensing objectives:-
 - Crime and disorder
 - Public Nuisance
 - Public Safety
 - The Protection of Children from Harm

- 3.2 Environmental Health have also served an Objection on the grounds that the events will undermine the public nuisance objective. A copy of the objection notice served on the applicant is at Appendix E.
- 3.3 On 13 June 2019 following a request from the Licensing Department an Event Management Plan was submitted by Nicola Smith outlining the safety plans for the event. This plan has been sent to the Safety Advisory Group for comments. Appendix F is a copy of the plan.
- 3.4 Appendix G is a response from the Health and Safety Officer as a Member of the Safety Advisory Group regarding the Event Management Plan for the after prom events.

4 NOTICES

- 4.1 All parties involved have been served with the relevant notices and documentation required by paragraphs 6 and 7 of The Licensing Act 2003 (Hearings) Regulations 2005.
- 4.2 The notices and documentation included an explanation of the rights of persons to attend hearings and to be represented to give evidence and to call witnesses, the consequences of not attending, the procedure to be followed at a hearing and, for applicants only, a copy of all relevant representations made.
- 4.3 Paragraphs 8 and 9 of the regulations require that parties notify the Licensing Authority no later than 2 working days before the hearing of those matters mentioned in paragraph 4.2 above. A pro-forma was included with the notices and documentation mentioned in paragraph 4.2 above.

5 LEGAL IMPLICATIONS

- 5.1 The provisions of The Licensing Act 2003, The Licensing Act 2003 (Hearings) Regulations 2005, Guidance issued under Section 182 Licensing Act 2003 and the Statement of Licensing Policy, approved by Full Council for the period 31 January 2019 – 30 January 2022 need to be considered by Members in determining the application.

6 EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.

7 OPTIONS

- 7.1 The following options are available to Members:-

- (1) To determine that the events would undermine the licensing objectives and serve a counter notice;
- (2) To allow the licensable activities to go ahead as stated in the notice; or
- (3) Subject to paragraphs 11-13 of the Licensing Act 2003 (Hearings) Regulations 2005, to adjourn the hearing to a specified date or arrange for a hearing to be held on specified additional dates, where Members consider this to be necessary for their consideration of any representations or notice made by a party

8 RECOMMENDATION

8.1 It is proposed that the Sub-Committee **RESOLVES**

To determine the notice, having considered all representations made at the hearing.



Louisa Moss
Assistant Director, Community & Housing Services

Background Papers:-

None.

For further information please contact Jan Fowler on:-

Phone: 01702 318058
Email: Jan.fowler@rochford.gov.uk

If you would like this report in large print, Braille or another language please contact 01702 318111.